

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 1950

Hans MEIJER, *et al.*

Date: October 15, 2009

Serial No.: 10/584,427

Group Art Unit: 1647

Filed: July 6, 2007

Examiner: Regina M. Deberry

For:NATURE-IDENTICAL ERYTHROPOIETIN

VIA EFS - WEB

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Restriction Requirement set forth in the Office Action mailed September 21, 2009 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

If checked, "Small Entity" status is claimed.

| NO. CLAIMS AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | EXTRA PRESENT | RATE | ADDIT. FEE |
|--|---------------------------------------|---------------|-----------------------|---------------|
| TOTAL 64 | MINUS 64 | * = 0 | X (\$26 SE or \$52) | \$0 |
| INDEP. 1 | MINUS 3 | ** = 0 | X (\$110 SE or \$220) | \$0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | \$390 |

* not less than 20 ** not less than 3

TOTAL \$ 0

If any additional payment is required, a check which includes the calculated fee of \$ _____
 (Our Check No. _____) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

SUMMARY OF AMENDMENTS

1. If checked, an abstract (an amended abstract) is submitted herewith.
2. If checked, amendment(s) to the drawings are submitted herewith.
3. If checked, amendment(s) to the specification are submitted herewith.
4. If checked, amendment(s) to the claims are submitted herewith.